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2009 E. EDINGER AVENUE  
SANTA ANA, CALIFORNIA 92705  
(714) 667-3700

November 2, 1994

Carl Ross  
Red Eagle Properties Ltd.  
2020 Lynx Trail  
Ontario, CA 91761

Subject: Request for Site Investigation

Re: Fullerton Business Park North  
1551 East Orangethorpe Avenue  
Fullerton, CA 92631  
O.C.H.C.A. Case #94IC29

Dear Mr. Ross:

Based on evidence collected or received by this Agency, it has been determined that a hazardous substance release of TRPH and perchloroethylene to soil has occurred at the above referenced location. According to our records, you or the company you represent have been identified as responsible for either this release or the property at which this release occurred. Due to concerns that this release may represent a public health or environmental hazard, this Agency requests that you or your company implement a site investigation to assess the extent and significance of this release; and where necessary take remedial action.

The documentation of this release has become a part of this Agency's records, and as such is now part of the public record. Be advised that in addition to local, state and federal hazardous substance release reporting requirements, any owner of nonresidential real property who knows, or has reasonable cause to believe, that any release of a hazardous substance has come to be located on or beneath that real property shall, prior to sale, lease, or rental of the real property, give written notice of that condition to each buyer, lessee, or renter of the real property. (California Health and Safety Code, Division 20, Chapter 6.8 (H&SC), Section 25359.7[a]). Also any lessee or renter of real property who knows or has reasonable cause to believe that any release of a hazardous substance has come or will come to be located on or beneath that real property shall, following its discovery, give written notice of that condition to the owner of the real property or the lessor. (H&SC 25359.7[b]).

This Agency will provide governmental oversight at contaminated sites where State or Federal law does not require oversight by another governmental agency, or where an order to investigate or remediate a site has not already been issued by an empowered State or Federal Agency. You may elect to have this Agency provide oversight at the above referenced site to satisfy possible city or county land use concerns; lender, buyer, lessee, or renter concerns; or your own concerns. Upon the satisfactory completion of a site investigation and any necessary soil remediation, this Agency will write a letter of completion. Where the site investigation reveals a possible threat to groundwater resources, your site will be referred to the appropriate regional water Quality Control Board (RWQCB) for review. When the RWQCB requires soil remedial action you will be requested to submit remedial action plans to both Agencies for review and concurrence.

You may also request governmental oversight from the California's Environmental Protection Agency, Department of Toxic Substances (DTSC). This Agency may request that the DTSC review case documentation for the purpose of determining whether mandatory case oversight will be required, when the responsible party does not request voluntary governmental case oversight.

If you choose to seek oversight from this Agency of this site, a per hour service fee will be assessed for the actual time Health Care Agency (HCA) staff expend in overseeing the site investigation and remediation. Per resolution of the County Board of Supervisors, the current site cleanup oversight fee is \$123.00 per hour.

If after considering the above you choose to have this Agency oversee the site investigation and remediation, submit a letter to this office requesting this Agency's oversight and acknowledging that a fee will be charged. A site investigation workplan will need to be submitted to this office for review and concurrence by HCA oversight staff prior to the implementation of site investigation activity. The review and concurrence by HCA staff of the workplan will assure the collection of appropriate site assessment data. The workplan should include the proposed methods used to obtain the following information:

1. An identification of the lateral and vertical extent of soil contamination and the concentration of contaminants.
2. The depth to groundwater.
3. A description of soil profile.

The plan must include:

1. A site history that will serve as rationale for the selection of the locations of soil samples and soil borings and laboratory methods.

2. The proposed number and locations of soil samples and soil borings.
3. The proposed laboratory analysis and methods.
4. The proposed sampling methodology.
5. A health and safety plan where assessment activities pose a threat to public health.

All required permits must be obtained prior to beginning exploratory borings and construction of wells. All borings and abandoned wells must be properly sealed. Wells should be secured to prevent unauthorized access. For further information regarding required well permits and well abandonment, call, (714) 667-3750. Drilling procedures, well design and construction must be accomplished in a manner that prevents the spread of contamination. Design and procedures should be developed by an appropriate registered professional (R.G., C.E.G., or equivalent) with expertise in subsurface investigations. Reports that include logs of soil borings or any findings or conclusions relating to subsurface formations must be signed by properly registered professional (R.G., C.E.G., or equivalent).

Site assessment can begin as soon as possible after review and concurrence of the workplan by HCA staff. Be sure to notify this office 48 hours in advance of any site sampling activity.

The next step after completion of the site investigation, is the submittal of a report to HCA for review and concurrence which outlines the findings of the site investigation and presents a proposed remedial action plan. Possible proposals include:

1. Leaving contaminated soil in place. Demonstrate to the satisfaction of this Agency that the contaminated soil, if left in place, would not present a potential public health or environmental hazard. In general, this evaluation includes identification of potential exposure pathways (water, air, food, direct contact) and state of the science quantitative prediction of exposure levels at human receptors.
2. Reducing contamination to acceptable levels. Any reasonable remedial action will be considered, however actions that may spread contamination (e.g., biostimulation, soil flushing, drawdown wells, etc.) may require additional site investigations and safeguards. Required permits must be obtained from other agencies. The South Coast Air Quality Management District and the Long Beach Regional Office of the Department of Toxic Substance Control must be notified by the responsible party to determine if permits are required for treatment of contaminated soil and groundwater.

As with proposal #1, it must be demonstrated that after remediating the soil the remaining levels of contamination would not present a potential public health or environmental hazard.

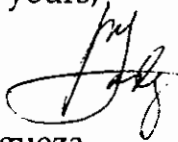
3. Monitoring of contaminant fate and movement. Monitoring may include periodic sampling of soil to determine the movement of fate of contaminants.
4. Removal of contaminated soil to background or nondetectable levels. Sampling of the excavation site, under this Agency's supervision, is required to verify clean up. A verification sampling plan and laboratory analysis plan must be submitted with this proposal. This office must be notified at least 48 hours in advance of sampling. The request for a remedial action plan may be waived in situations where this Agency has determined that the extent of contamination is minimal and the proposed mitigation methodology is removal of contaminated soil to background or nondetectable levels.

The remedial action plan should be implemented as soon as possible after review and concurrence by HCA staff. After the remedial action plan has been full implemented, remediation completion will be determined by site sampling overseen by HCA staff

If any material to be removed is hazardous waste, as defined in the California Health and Safety Code, Chapter 6.5 or as identified in the California Code of Regulations, Title 22, Division 4.5, Chapter 30, the use of a registered hazardous waste hauler is required and a photocopy of every manifest, signed by the receiving facility, must be forwarded to this office for verification of proper disposal. Contaminated soil not meeting hazardous waste criteria should not be removed and placed at other than a Class I hazardous waste land fill without verification by this Agency and approval of the appropriate Regional Water Quality Control Board.

If you have any questions regarding this matter, please contact me at (714) 667-3717.

Very truly yours,



Luis Lodrigueza  
Hazardous Waste Specialist  
Hazardous Materials Management Section  
Environmental Health Division

LL:vp

cc: Robert Holub, Santa Ana Regional Water Quality Control Board  
J. Michael Batten, Converse Consultants